

### **REMARKS**

Claims 1-4 and 7-19, as amended, are pending in this application. In this Response, Applicants have amended claim 1 to highlight that, according to an embodiment of the present invention, the lens includes at least two substantially flat mating parts. The first and second mating parts include mating surfaces for engaging each other and they are positioned in the optical path of a light beam. Applicants have also cancelled claims 5 and 6 in order to maintain consistency with the amendments to independent claim 1.

In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents. As no new matter has been added, Applicants respectfully request entry of these amendments and remarks at this time.

### **THE REJECTIONS UNDER 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-3, 5-8, and 12-19 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,175,783 to Tatch ("Tatch"). Tatch discloses a light emitting diode that has a convex portion of a resin molding formed by a part of a parabolic surface, and a reflection layer formed on the part. The molding is conducted so that a diode chip is near the reflection layer as much as possible, so that radiation is reflected while its diffusion width is still small enough to be converged into parallel rays. A ball lens is relatively small and is buried in a resin molding. *See, e.g.*, col. 12, lines 46-55 and FIG. 15.

In contrast, one embodiment of the present invention includes a lens comprising a reflecting curved surface for focusing a light beam. The lens includes a reflecting curved surface and a focusing curved surface. Light from an optical device is reflected off of the reflecting curved surface and conveyed through the focusing curved surface. As the light passes between the reflecting curved surface and the focusing curved surface, it traverses an elongated, non-spherical section.

Claim 1 has been amended to recite that the lens is a lens assembly that has at least two mating parts. A first mating part includes the reflecting surface and the second mating part includes the focusing surface. Each of the first and second mating parts also includes at least one substantially flat mating surface for engaging each other. The substantially flat mating surfaces

are in the optical path of the light beam and at least one of the substantially flat mating surfaces has a reflective portion shaped to reflect a portion of the beam along a monitoring path.

Thus, Tatch fails to disclose each and every element recited by amended claim 1. Specifically, Tatch is completely silent with regard to each of a first and second mating surface including at least one substantially flat mating surface for engaging each other. Moreover, Tatch does not teach that at least one of the flat mating surfaces has a reflective portion shaped to reflect a portion of the beam along a monitoring path.

As such, Applicants submit that claim 1 is in condition for allowance. Applicants further submit that claims 2-4 and 7-19 are in condition for allowance at least by virtue of their dependency on claim 1, but also for additional novel features recited therein. Accordingly, reconsideration and allowance of the pending claims is respectfully requested.

### **THE REJECTIONS UNDER 35 U.S.C. § 103**

At pages 5-7 of the Office Action, the Examiner rejected claims 4 and 9 under 35 U.S.C. § 103 as being obvious over Tatch in view of U.S. Patent No. 3,628,027 to Brauss ("Brauss"). In addition, the Examiner rejected claims 10-11 under 35 U.S.C. § 103 as being obvious over Tatch in view of U.S. Patent No. 5,388,171 to Michikoshi *et al.* ("Michikoshi").

As discussed above, however, Tatch fails to teach or suggest the features of claim 1 as currently recited. Moreover, Brauss and Michikoshi fail to teach or suggest the following: (i) a first and second mating surface including at least one substantially flat mating surface for engaging each other; and (ii) at least one flat mating surface that has a reflective portion shaped to reflect a portion of the beam along a monitoring path.

Thus, Applicants submit that claims 4 and 10-11 are in condition for allowance at least by virtue of their dependency on claim 1, but also for additional novel features recited therein. Reconsideration and allowance of the pending claims is respectfully requested.

### **CONCLUSION**

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding the

patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response three months to and including May 16, 2007. A Fee Sheet Transmittal is submitted herewith to pay for the three-month extension of time and the Request for Continued Examination. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen LLP Deposit Account No. 50-4047, Order No. 25551.0010.

Respectfully submitted,

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